

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JUSTIN CREDICO,
Plaintiff,
v.
FACEBOOK INC., et al.,
Defendants.

Case No. [15-cv-05810-JSC](#)

ORDER OF DISMISSAL

Plaintiff, an inmate in the Federal Detention Center in Philadelphia, Pennsylvania, filed this pro se civil rights complaint against Facebook, Inc. (“Facebook”), and a number of “Doe” defendants who are “agents” of the Federal Bureau of Investigation (“F.B.I.”) and other “unknown” federal agencies.¹ His request for leave to proceed in forma pauperis is granted in a separate order. The complaint in this action reiterates claims made by Plaintiff in a prior case, *Credico v. Facebook, Inc., et al.*, No. 14-0881 JS (E.D. Pa.). In that case, like here, he claims that Facebook, as well as a number of unnamed agents of the federal government violated his rights by shutting down the account of the “Syrian Electronic Army,” with whom Plaintiff wished to communicate. His complaint was dismissed for failure to state a claim upon which relief can be granted. *See id.* at Dkt. Nos. 7, 8. An in forma pauperis complaint that merely repeats pending or previously litigated claims may be considered frivolous and dismissed under the authority of 28 U.S.C. § 1915(e). *Cato v. United States*, 70 F.3d 1103, 1105 n.2 (9th Cir. 1995). Such a

¹ Plaintiff consented to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c). (Dkt. Nos. 2, 6.)

complaint is also subject to dismissal as duplicative. *Bailey v. Johnson*, 846 F.2d 1019, 1021 (5th Cir. 1988). As Plaintiff has previously litigated his claims, this action is DISMISSED.

The Clerk shall enter judgment and close the file.

IT IS SO ORDERED.

Dated: March 3, 2016


JACQUELINE SCOTT CORLEY
United States Magistrate Judge

United States District Court
Northern District of California